

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS

In re Paul J. Bryan

Application No. 09/871,349

Filed: May 31, 2001

Appeal No. 2007-1590

ORDER GRANTING REQUEST TO RESET HEARING DATE

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences has been set for November 15, 2007. The notice setting the hearing was mailed to Applicants on October 3, 2007. The date Applicants received the notice is not apparent from the record. On October 16, 2007, a facsimile letter styled Request For Rescheduling Of Hearing was filed, Applicants requested that the oral hearing be rescheduled. The request has been granted.

According to counsel:

Counsel for Applicant in this case has a prior commitment out of the country for November 15, 2007, and can not participate in the hearing. The reason that counsel requests an expeditious resetting of the hearing is that this appeal has been pending for 43 months, and in the course of considering Applicant's brief, the Board has on two occasions, remanded the case to the Examiner for further explanations. The last remand was made shortly before a prior scheduled hearing.

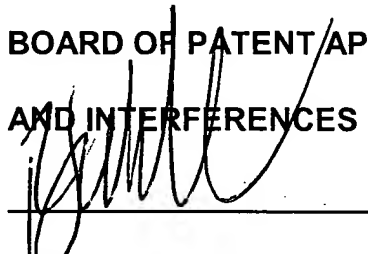
For the reasons given above it is:

Ordered that the request to reschedule the oral hearing to a later date is

granted. Appellant's will be notified in writing of the re-scheduled hearing date.

No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

**BOARD OF PATENT APPEALS
AND INTERFERENCES**



**Roger L. Williams
Chief Office Administrator
(571-272-9797)**

**Telephone: (919) 854-1844
Fax Phone: (919) 854-2084**

**Larry L. Coats
Coats & Bennett PLLC
Raleigh, NC 27602**

LARRY L. COATS
COATS & BENNETT PLLC
RALEIGH, NC 27602

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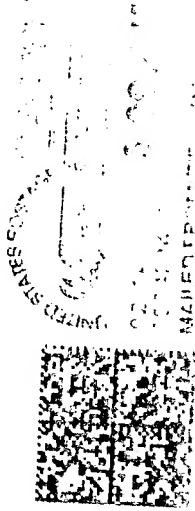
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